

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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CS

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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02/727,349 11/30/00 ENIGEL HARRY

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028176
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NEW YORK NY 10022

HM22/1023

EXAMINER

CHAKRABARTI, A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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1656

DATE MAILED:

10/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of AbandonmentApplication No.
09/727,349

Applicant(s)

EngelhardtExaminer
Arun ChakrabartiArt Unit
1655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. **Applicant's failure to timely file a proper reply to the Office letter mailed on Feb 28, 2001.**
 - (a) **A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.**
 - (b) **A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.**

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) **No response has been received.**
2. **Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).**
 - (a) **The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.**
 - (b) **The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.**

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
 - (c) **The issue fee and publication fee, if applicable, has not been received.**
3. **Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).**
 - (a) **Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.**
 - (b) **The proposed new formal drawings filed on _____ are not acceptable and the period for reply has expired.**
 - (c) **No proposed new formal drawings have been received.**
4. **The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.**
5. **The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.**
6. **The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.**
7. **The reason(s) below:**


JEFFREY FREDMAN
PRIMARY EXAMINER